

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DENNIS KOESTERER, on behalf of himself  
and all others similarly situated,  
Plaintiff,

v.

WASHINGTON MUTUAL, INC., KERRY  
K. KILLINGER, DAVID C. SCHNEIDER and  
THOMAS W. CASEY,  
Defendants.

Civil Action No.: 07-cv-09801 (CM)

JOEL ABRAMS and BRIAN ROFFE,  
on behalf of himself and all others similarly  
situated,  
Plaintiff,

v.

WASHINGTON MUTUAL, INC., KERRY  
K. KILLINGER, DAVID C. SCHNEIDER and  
THOMAS W. CASEY,  
Defendants.

Civil Action No.: 07-cv-09806 (AKH)

**DECLARATION OF JEFFREY C. BLOCK  
IN SUPPORT OF MASSACHUSETTS  
PENSION RESERVES INVESTMENT  
MANAGEMENT BOARD'S MOTION  
FOR (1) APPOINTMENT AS LEAD  
PLAINTIFF, (2) APPROVAL OF ITS  
SELECTION OF COUNSEL AS LEAD  
COUNSEL, AND (3) CONSOLIDATION  
OF ALL RELATED ACTIONS**

ROBERT L. GARBER individually and on  
behalf of all others similarly situated,  
Plaintiff,

v.

WASHINGTON MUTUAL, INC., KERRY  
K. KILLINGER, STEPHEN J. ROTELLA, and  
THOMAS W. CASEY,  
Defendants.

Civil Action No.: 07-11422 (UA)

**DECLARATION OF JEFFREY C. BLOCK IN SUPPORT OF MASSACHUSETTS  
PENSION RESERVES INVESTMENT MANAGEMENT BOARD'S MOTION FOR (1)  
APPOINTMENT AS LEAD PLAINTIFF, (2) APPROVAL OF ITS SELECTION OF  
COUNSEL AS LEAD COUNSEL, AND (3) CONSOLIDATION OF ALL RELATED  
ACTIONS**

I, Jeffrey C. Block, declare under penalty of perjury as follows:

1. I am a partner in the law firm of Berman DeValerio Pease Tabacco Burt & Pucillo. I submit this declaration in support of the motion by the Massachusetts Pension Reserves Investment Management Board ("PRIM") for appointment as lead plaintiff, for approval of PRIM's selection of counsel as lead counsel and for consolidation of all related actions.

2. Pursuant to Section 78u-4(a)(3)(A)(i) of the Private Securities Litigation Reform Act of 1995 ("PSLRA"), on November 5, 2007, the law firm of Wolf Popper LLP caused to be published a notice over a national business-oriented wire service, PRNewswire, advising members of the proposed class that a securities class action was filed and that investors had the right to move for appointment as lead plaintiff no later than January 4, 2008. *See* 15 U.S.C. § 78u-4(a)(3)(A)(i)(II). The notice was reprinted, *verbatim*, by *Bloomberg Business News* and *Yahoo Finance*. Attached hereto as Exhibit A are true and accurate copies of those notices.

3. PRNewswire is a national business-oriented news wire and multimedia service that distributed the notice to more than 2,000 different outlets, including *Dow Jones News Retrieval*, *Bloomberg Business News*, *Associated Press* and *Reuters*.

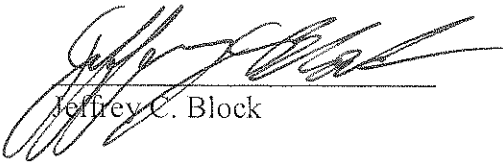
4. PRIM completed a certification form in accordance with Section 78u-4(a)(3)(B)(iii)(I)(aa) of the PSLRA. Attached hereto as Exhibit B is a true and accurate copy of its certification.

5. During the Class Period, PRIM suffered losses of \$6,972,670 based on a first-in, first-out (“FIFO”) analysis and \$4,192,302 based on a last-in, first-out (“LIFO”) analysis from their trading in Washington Mutual, Inc. securities. Attached as Exhibit C is a table calculating PRIM’s losses on its investments in Washington Mutual, Inc.

7. A true and accurate copy of Berman DeValerio Pease Tabacco Burt & Pucillo’s firm resume is annexed hereto as Exhibit D.

8. A true and accurate copy of local counsel Zwerling, Schachter & Zwerling LLP’s firm resume is annexed hereto as Exhibit E.

Signed under the pains and penalties of perjury this 4<sup>th</sup> day of January, 2008.



Jeffrey C. Block